

Express Mail No.: EL 501 636 931 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bermudes et al.

Serial No.: 09/645,415

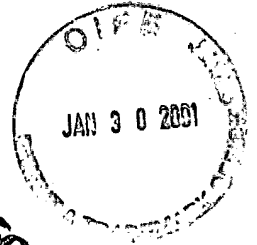
Filed: August 24, 2000

For: COMPOSITIONS AND METHODS FOR
TUMOR-TARGETED DELIVERY OF
EFFECTOR MOLECULES

Group Art Unit: 1614

Examiner: To Be Assigned

Attorney Docket No. 8002-659-999



REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

Vion Pharmaceuticals, Inc., having a place of business at Four Science Park, New Haven, Connecticut 06511, and owner of the entire right, title and interest in, to and under the invention described and claimed in the above-identified patent application by virtue of an Assignment, a copy of which is attached hereto as Exhibit A, hereby revokes all previous powers of attorney and appoint S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No.

35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37,386), Garland T. Stephens (Reg. No. 37,242) and William J. Sipio (Reg. No. 34,514), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them its attorneys, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to Pennie & Edmonds LLP, located at 1155 Avenue of the Americas, New York, N.Y. 10036-2711, and direct all telephone calls to Pennie & Edmonds LLP at (212) 790-9090.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

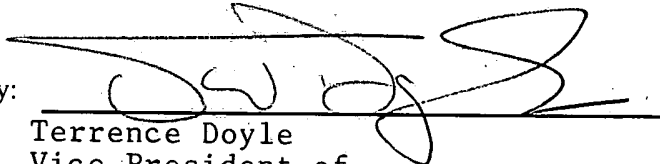
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date:

Jan 17, 2001

By:



Terrence Doyle
Vice President of
Research and Development
Chief Scientific Officer
VION PHARMACEUTICALS, INC.

ASSIGNMENT

WHEREAS, WE, David G. Bermudes (a citizen of the United States of America residing at 524 North Main Street, Wallingford, Connecticut, 06492), Ivan C. King (a citizen of the United States of America residing at 65 Blue Hills Road, New Haven, Connecticut, 06473), Caroline A. Clairmont (a citizen of the United States of America residing at 80 Merwin Circle, Cheshire, Connecticut, 06410), Stanley L. Lin (a citizen of the United States of America residing at 173 Old Toll Road, Madison, Connecticut, 06443) and Michael Belcourt (a citizen of the United States of America residing at 9 Algonquin Drive, Wallingford, Connecticut, 06942), ASSIGNORS, are the inventors of the invention in **COMPOSITIONS AND METHODS FOR TUMOR-TARGETED DELIVERY OF EFFECTOR MOLECULES** for which we have executed an application for a Patent of the United States

- ☑ which is identified by Pennie & Edmonds LLP docket no. 8002-059-999
- ☑ which was filed on August 24, 2000, Application No. 09/645,415

and WHEREAS, **VION PHARMACEUTICALS, INC.**, ASSIGNEE, having a principle place of business at Four Science Park, New Haven, Connecticut, 06511, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

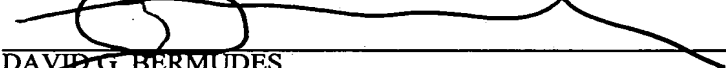
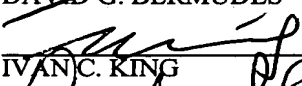



NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

| | | |
|----------------------------------|--|------|
| Date <u>Jan 17, 2001</u> , 2001 |  | L.S. |
| | DAVID G. BERMUDES | |
| Date <u>Jan 17, 2001</u> , 2001 |  | L.S. |
| | IVAN C. KING | |
| Date <u>Jan 17, 2001</u> , 2001 |  | L.S. |
| | CAROLINE A. CLAIRMONT | |
| Date <u>Jan. 17, 2001</u> , 2001 |  | L.S. |
| | STANLEY L. LIN | |
| Date <u>Jan. 17, 2001</u> , 2001 |  | L.S. |
| | MICHAEL BELCOURT | |

State of Connecticut }
 County of New Haven } SS.:

In the State of Connecticut, county of New Haven, on 1/17/01, before me, MARY M. HORAN, Notary Public, personally appeared David G. Bermudes, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Mary M. Horan

State of Connecticut }
 County of New Haven } SS.:

In the State of Connecticut, county of New Haven, on 1/17/01, before me, MARY M. HORAN, Notary Public, personally appeared Ivan C. King, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Mary M. Horan

State of Connecticut }
 County of New Haven } SS.:

In the State of Connecticut, county of New Haven, on 1/17/01, before me, MARY M. HORAN, Notary Public, personally appeared Caroline A. Clairmont, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Mary M. Horan

State of Connecticut }
 County of New Haven } SS.:

In the State of Connecticut, county of New Haven, on 1/17/01, before me, MARY M. HORAN, Notary Public, personally appeared Stanley L. Lin, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Mary M. Horan

State of Connecticut }
 County of New Haven } SS.:

In the State of Connecticut, county of New Haven, on 1/17/01, before me, MARY M. HORAN, Notary Public, personally appeared Michael Belcourt, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Mary M. Horan